

111TH CONGRESS
2D SESSION

H. R. 6266

To amend the Sex Offender Registration and Notification Act to require sex offenders to notify appropriate government officials before traveling internationally, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Ms. LORETTA SANCHEZ of California introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Sex Offender Registration and Notification Act to require sex offenders to notify appropriate government officials before traveling internationally, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sex Offender Notifica-
5 tion of International Travel Act”.

6 **SEC. 2. FINDINGS AND DECLARATION OF PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) Child sex tourism is a pervasive inter-
2 national problem and ever evolving crime that ex-
3 ploits the most innocent and vulnerable members of
4 any society.

5 (2) Child sex tourists travel to known sex des-
6 tinations for the purpose of seeking anonymity while
7 engaging in child molestation and exploitation, in-
8 volving such acts as manufacturing pornography and
9 prostitution. An estimated 25 percent of predators
10 involved in child sex tourism throughout the world
11 are United States citizens.

12 (3) American child sex tourists can be found in
13 a wide range of foreign locales, looking to exploit
14 children made vulnerable by extreme poverty and
15 deprivation. These predators often have a long his-
16 tory of abuse of children, both in the United States
17 and abroad. They plan their trips carefully to mini-
18 mize their risk of arrest while exploiting economi-
19 cally disadvantaged children.

20 (4) U.S. Immigration and Customs Enforce-
21 ment (ICE), an agency within the Department of
22 Homeland Security, has taken a leading role in the
23 fight against the sexual exploitation of minors
24 abroad, in cooperation with other United States
25 agencies, law enforcement from other countries,

1 INTERPOL, and nongovernmental organizations. In
2 fact, between 2003 and 2009, ICE made 72 criminal
3 arrests and obtained 73 convictions of individuals
4 charged with traveling aboard and engaging in illicit
5 sexual conduct with a minor, the “child sex tourism”
6 law, section 2423 of title 18, United States Code.

7 (5) These arrests were made under the auspices
8 of Operation Predator, a highly successful, ongoing
9 investigative operation targeting the exploiters of
10 children. Since its inception in 2003 as an initiative
11 focusing on combining the ICE immigration and
12 customs authorities, Operation Predator has become
13 a worldwide known brand in the fight against child
14 exploitation and is now the overarching child exploi-
15 tation program within ICE. Today, Operation Pred-
16 ator includes numerous initiatives and programs
17 that protect children from pornographers, child pros-
18 titution rings, Internet predators, alien smugglers,
19 human traffickers, sex tourism operators, and other
20 criminals that prey on children, focusing on the
21 identification, prosecution, and removal (when appli-
22 cable) of criminals and encompasses all the law en-
23 forcement offices within ICE. As of 2009, ICE had
24 made more than 12,710 arrests under Operation
25 Predator.

1 (6) Operation Predator is the lynchpin for the
2 newly established ICE Child Exploitation Investiga-
3 tions Center (CEIC), a division of the ICE Cyber
4 Crimes Center, managed by the Child Exploitation
5 Unit. The CEIC houses all national ICE initiatives
6 and programs relating to child exploitation—both
7 sexual child exploitation, child trafficking, and
8 forced child labor—and will focus on four key areas:
9 training for Federal, State, local, tribal, and foreign
10 law enforcement agencies; investigative capacity
11 building; child exploitation prevention and enforce-
12 ment operations; and recruitment of disabled vet-
13 erans in communities hardest hit by the current eco-
14 nomic situation.

15 (7) Two of the more significant programs cur-
16 rently under Operation Predator are the Virtual
17 Global Taskforce (VGT) and Operation Angel
18 Watch. Established in 2003, the VGT is a collabora-
19 tion of international law enforcement agencies with
20 the common goal of protecting children from sexual
21 exploitation. The VGT is intended to augment, not
22 supplant, existing law enforcement initiatives and
23 international relationships related to child exploi-
24 tation issues. ICE, as represented by the CEIC, is
25 the exclusive United States representative to the

1 VGT. Operation Angel Watch is an intelligence-driv-
2 en program targeting registered sex offenders trav-
3 eling abroad who ICE believes are likely to engage
4 in child sex tourism. By evaluating patterns and
5 trends, ICE identifies high risk countries to compare
6 with the travel plans of registered sex offenders.
7 Since the inception Operation Angel Watch, nearly
8 300 suspected CST perpetrators have been identi-
9 fied.

10 (8) While this Operation has proven effective,
11 we find the requirements for notification of inter-
12 national travel by sex offenders in this Act will sig-
13 nificantly enhance the ability of ICE to identify such
14 high-risk travelers earlier and more frequently. The
15 goal is to stop the traveler prior to the exploitation
16 of the children. To the extent that there may be in-
17 vestigative concern of a traveler, we also find that
18 this bill will serve to protect the American children
19 from exploitation, as well.

20 (9) Although the Sex Offender Registration and
21 Notification Act requires the establishment of a sys-
22 tem for tracking registered sex offenders traveling
23 internationally, these requirements should be
24 strengthened so high risk travelers are identified
25 earlier and more frequently.

1 (10) Officials from the United Kingdom, Aus-
2 tralia, Spain, and other countries have expressed in-
3 terest in working with the United States Govern-
4 ment for increased international cooperation to pro-
5 tect children from sexual exploitation, and are pro-
6 ponents of formal arrangements to ensure that the
7 risk posed by traveling sex offenders is combated
8 most effectively.

9 (11) The United States, with its international
10 law enforcement relations, technological and commu-
11 nications capability, and established sex offender
12 registry system, should lead the global community in
13 the effort to save thousands of potential child vic-
14 tims by notifying other countries of travel by sex of-
15 fenders, maintaining information about sex offenders
16 from the United States who reside overseas, and
17 strongly encouraging other countries to undertake
18 the same measures to protect children around the
19 world.

20 (b) PURPOSE.—It is the purpose of this Act to amend
21 the Sex Offender Registration and Notification Act
22 (SORNA), as established in the Adam Walsh Child Pro-
23 tection and Safety Act of 2006, Public Law 109–248, to
24 better protect children worldwide from sexual exploitation.
25 In an effort to prevent, deter, and combat international

1 child sex exploitation, the United States system will re-
2 quire notification of international travel by the sex of-
3 fender to appropriate government officials and permit
4 United States law enforcement to share such information
5 with foreign countries when appropriate.

6 **SEC. 3. SEX OFFENDER INTERNATIONAL TRAVEL NOTIFI-**
7 **CATION PROGRAM FOR PURPOSES OF BOR-**
8 **DER SECURITY.**

9 The Sex Offender Registration and Notification Act
10 (42 U.S.C. 16901 et seq.) is amended—

11 (1) in section 113(c)—

12 (A) by designating the existing text as
13 paragraph (1); and

14 (B) by adding at the end the following:

15 “(2) A sex offender shall comply with the require-
16 ments for notification of international travel as prescribed
17 by this title.”;

18 (2) by inserting after section 113 the following:

19 **“SEC. 113a. INTERNATIONAL TRAVEL NOTIFICATION RE-**
20 **QUIREMENTS FOR SEX OFFENDERS.**

21 “(a) DUTY TO REPORT.—Any person required to
22 register as a sex offender under this title shall be required
23 to notify their residential jurisdiction of registration of his
24 or her intent to travel from the United States to another

1 country, regardless of duration of the travel. Only one no-
 2 tification is required for each round trip.

3 “(b) PROCEDURES FOR REPORTING.—Sex offenders
 4 are to provide notice to their residential jurisdiction of reg-
 5 istration by completing the International Travel Notifica-
 6 tion form as described in section 114a—

7 “(1) not later than 21 days before departure
 8 from the United States;

9 “(2) in consultation with their residential juris-
 10 diction of registration, as early as possible when 21
 11 days prior is impracticable; or

12 “(3) in consultation with their residential juris-
 13 diction of registration, at regular intervals, on a case
 14 by case basis, for sex offenders who, for legitimate
 15 business or personal reasons, regularly transit across
 16 United States borders.

17 “(c) DUTY TO UPDATE.—Sex offenders are to notify
 18 their jurisdiction of residence of any change in travel dates
 19 or locations.”;

20 (3) in section 115—

21 (A) in the section heading, by striking
 22 “**REQUIREMENT**” and inserting “**REQUIRE-**
 23 **MENTS**”; and

24 (B) by at the end the following:

1 “(c) INTERNATIONAL TRAVEL REGISTRATION.—Sex
2 offenders are required to comply with the international
3 travel notification requirements in section 113a at all
4 times during which they are required to register under this
5 title.”;

6 (4) by inserting after section 114 the following:

7 **“SEC. 114a. INFORMATION REQUIRED FOR INTERNATIONAL**
8 **TRAVEL FOR PURPOSES OF BORDER SECU-**
9 **RITY.**

10 “The Attorney General, in consultation with the Sec-
11 retary of Homeland Security, shall develop an Inter-
12 national Travel Notification form. Such form shall include
13 the following information:

14 “(1) The complete name of the sex offender (in-
15 cluding any nicknames or aliases).

16 “(2) The Social Security number of the sex of-
17 fender.

18 “(3) The current home address of the sex of-
19 fender.

20 “(4) All email addresses.

21 “(5) The date of birth of the sex offender.

22 “(6) The citizenship of the sex offender.

23 “(7) The passport or passport card number and
24 date and place of issuance of the sex offender.

1 “(8) The alien registration number of the sex
2 offender, where applicable.

3 “(9) Information as to the nature of the sex of-
4 fense conviction(s) that requires registration.

5 “(10) Jurisdiction(s) of conviction.

6 “(11) Jurisdiction(s) or registration.

7 “(12) The travel itinerary and purpose of trip.

8 “(13) The names of any travel companions and
9 relationship to the sex offender, if any.

10 “(14) The address and phone number where
11 the sex offender may be reached while not in the
12 United States.

13 “(15) If applying for employment while outside
14 of the United States, name and type of business, ad-
15 dress, and point of contact and phone number for
16 the employer.

17 “(16) If attending school while outside of the
18 United States, name and type of school, address,
19 and point of contact and phone number for the
20 school.

21 “(17) All countries the sex offender plans to
22 visit during the trip, including dates, addresses, and
23 points of contact for those destinations.

1 “(18) Any other information as may be re-
2 quired by the Attorney General, in consultation with
3 the Secretary of Homeland Security.”;

4 (5) by inserting after section 112 the following:

5 **“SEC. 112a. INTERNATIONAL TRAVEL NOTIFICATION RE-**
6 **QUIREMENTS FOR JURISDICTIONS.**

7 “(a) JURISDICTION NOTICE TO SEX OFFENDER.—
8 Within 180 days after enactment of this section, the
9 SMART Office shall provide jurisdictions with notice of
10 the international travel notification requirements of this
11 title—

12 “(1) each jurisdiction shall ensure each pre-
13 viously registered sex offender is advised of such du-
14 ties at the earliest practicable opportunity;

15 “(2) each jurisdiction shall ensure that newly
16 registered sex offenders have been previously advised
17 of the duties upon release and, if necessary, advise
18 the sex offender of the requirement at such time as
19 he or she initially registers; and

20 “(3) jurisdictions shall require sex offenders to
21 acknowledge, in writing, that the sex offenders have
22 been advised of the duty to notify their residential
23 jurisdiction of registration of the intent to from the
24 United States.

1 “(b) NOTICE TO THE SMART OFFICE.—As expedi-
2 tiously as possible, but no later than three calendar days
3 from the date of receipt, and in a format prescribed by
4 the SMART Office in consultation with the Secretary of
5 Homeland Security, jurisdictions shall send the following
6 to the SMART Office:

7 “(1) All International Travel Notification forms
8 as described in section 114a.

9 “(2) All requests for exception to the 21-day
10 notification timeframe pursuant to section
11 16913a(b).

12 “(3) Any update received from a sex offender
13 regarding a change in travel dates or locations.

14 “(c) RETENTION OF DOCUMENTS.—Jurisdictions
15 shall retain originals of the advisement of duty to notify.

16 “(d) RESPONSE TO INQUIRIES.—

17 “(1) Each jurisdiction shall respond to inquiries
18 from the SMART Office, the Department of State,
19 the Department of Homeland Security or the De-
20 partment of Justice with regard to a specific sex of-
21 fender as soon as practicable, but at no time later
22 than five calendar days after receipt of the request.

23 “(2) Original documents shall be sent only upon
24 specific request.

1 “(3) Information requested may include, but
2 not be limited to—

3 “(A) the criminal history of the sex of-
4 fender, including—

5 “(i) the text of the provision of law
6 defining the sex offense;

7 “(ii) the dates of all arrests and con-
8 victions related to sex offenses;

9 “(iii) the status of parole, probation,
10 or supervised release;

11 “(iv) registration status; and

12 “(v) the existence of any outstanding
13 arrest warrants;

14 “(B) the most recent available photograph
15 of the sex offender; and

16 “(C) the time period for which the sex of-
17 fender is required to register pursuant to the
18 law of the jurisdiction of conviction.

19 “(e) GUIDELINES.—The Attorney General shall con-
20 sult with the Secretary of Homeland Security and Sec-
21 retary of State on such guidelines and regulations relating
22 to the international travel notification requirements of this
23 title.

24 “(f) DISCLOSURE OF INVESTIGATIVE TECH-
25 NIQUES.—Internal operating guidelines created by the De-

1 partment of Homeland Security, Department of State, or
 2 the Department of Justice reflecting internal operations
 3 with respect to the international travel notification re-
 4 quirements of this subchapter, including methods for in-
 5 vestigation and factors for evaluation of sex offenders,
 6 shall not be disclosed.

7 “(g) SHARING WITH FOREIGN COUNTRIES.—The
 8 Department of Homeland Security and Department of
 9 Justice, as necessary, may provide notification, along with
 10 any other information as deemed appropriate, to a foreign
 11 country of the travel of any sex offender. No notification
 12 to the sex offender of the sharing of such information is
 13 necessary. The Department of Homeland Security and the
 14 Department of Justice and its officers, employees and
 15 agents shall be immune from liability for any actions taken
 16 by foreign countries based on the sharing of such informa-
 17 tion.”;

18 (6) by amending section 117—

19 (A) in the section heading, by inserting
 20 “**AND INTERNATIONAL TRAVEL NOTIFICA-**
 21 **TION**” after “**REGISTRATION**”;

22 (B) by amending subsection (a)(2) to read
 23 as follows:

24 “(2) require the sex offender to read and sign
 25 a form stating that the duty to register and to notify

1 their residential jurisdiction of registration of in-
2 tended international travel has been explained and
3 that the sex offender understands the registration
4 and notification requirement; and”;

5 (C) in subsection (b), by inserting a new
6 sentence at the end as follows: “In consultation
7 with the Secretary of Homeland Security, such
8 notification shall include advisement of the re-
9 quirements for international travel notifications
10 to the residential jurisdiction of registration, as
11 required by this title.”; and

12 (D) by adding a new subsection as follows:
13 “(c) ORIGINALS.—Original forms signed by the sex
14 offender are to be retained indefinitely by the jurisdiction
15 giving notification and shall be provided to the Attorney
16 General or Secretary of Homeland Security upon re-
17 quest.”;

18 (7) in section 146, by adding a new subsection
19 as follows:

20 “(d) COORDINATION WITH THE DEPARTMENT OF
21 HOMELAND SECURITY.—

22 “(1) The SMART Office shall coordinate oper-
23 ations and guidelines with the Department of Home-
24 land Security with respect to the international travel
25 notification requirements of this title;

1 “(2) As expeditiously as possible, but no later
2 than three calendar days from the date of receipt
3 from a jurisdiction, the SMART Office shall forward
4 to the Department of Homeland Security—

5 “(A) all International Travel Notification
6 forms;

7 “(B) all requests for exception to the 21-
8 day notification timeframe pursuant to section
9 16913a(b); and

10 “(C) all updates received from sex offend-
11 ers regarding changes in travel dates or loca-
12 tions.”;

13 (8) in section 112(b) by inserting “with respect
14 to registration for sex offenders” after “title”;

15 (9) in section 118(b)—

16 (A) in paragraph (3), by striking “and” at
17 the end;

18 (B) by redesignating paragraph (4) as
19 paragraph (5); and

20 (C) inserting a new paragraph (4) as fol-
21 lows:

22 “(4) any information concerning international
23 travel, including all correspondence with the SMART
24 Office; and”;

1 (10) in section 122 by inserting “**WITH REG-**
2 **ISTRATION REQUIREMENTS**” after “**COMPLY**” in
3 the section heading.

4 **SEC. 4. THE CYBER CRIMES CENTER AND THE CHILD EX-**
5 **PLOITATION INVESTIGATIONS CENTER.**

6 (a) ESTABLISHMENT.—

7 (1) GENERALLY.—There is established a Cyber
8 Crimes Center within the United States Immigration
9 and Customs Enforcement for the purpose of car-
10 rying out the Agency’s mission with respect to crimi-
11 nal acts crossing United States borders through
12 cyberspace.

13 (2) CHILD EXPLOITATION INVESTIGATIONS
14 CENTER.—

15 (A) Within the Cyber Crimes Center, there
16 shall be established the Child Exploitation In-
17 vestigations Center (CEIC). The CEIC shall co-
18 ordinate all agency child exploitation initiatives,
19 including child exploitation, child trafficking,
20 and forced child labor and is to focus on child
21 exploitation prevention and enforcement oper-
22 ations, training for Federal, State, local, tribal,
23 and foreign law enforcement agency personnel,
24 and investigative capacity building.

1 (B) The CEIC may collaborate with the
2 National Center for Missing and Exploited Chil-
3 dren and other government, nongovernmental,
4 and nonprofit entities as deemed appropriate by
5 the Secretary, for the sponsorship of and par-
6 ticipation in outreach and training activities.

7 (b) WOUNDED WARRIORS RECRUITMENT.—The
8 CEIC is authorized to recruit disabled veterans to fill in-
9 telligence and investigative positions in support of its mis-
10 sion. In support of such veterans, ICE shall make avail-
11 able the services of psychologists for, at a minimum, an-
12 nual psychological evaluations.

13 (c) TRAINING.—The Cyber Crimes Center is author-
14 ized to provide training for Federal, State, local, tribal,
15 and foreign law enforcement agency personnel engaged in
16 the investigation of crimes within its jurisdiction.

17 (d) COOPERATIVE AGREEMENTS.—The Cyber Crimes
18 Center is authorized to enter into Cooperative Agreements
19 to accomplish its mission and the goals of this section.

20 (e) PUBLIC AWARENESS CAMPAIGNS.—The Cyber
21 Crimes Center is authorized to solicit, engage with, and
22 accept assistance from the Virtual Global Taskforce, not-
23 for-profit organizations, and educational institutions in
24 the creation and advancement of public awareness cam-
25 paigns in furtherance of its mission. Public awareness

1 campaigns in coordination with such entities are not to
2 be subject to the Federal Acquisition Regulations for com-
3 petition when the services are donated or of minimal cost
4 to the government.

5 (f) RESEARCH AND DEVELOPMENT.—The Attorney
6 General, in consultation with the Secretary of Homeland
7 Security, shall conduct research and development for the
8 purpose of border security and law enforcement develop-
9 ment toward the prevention and investigation of child ex-
10 ploitation crimes, there are authorized to be appropriated
11 \$10,000,000 for each of fiscal years 2011, 2012, and 2013
12 to national research and development laboratories. The
13 CEIC, other law enforcement agencies, for-profit and non-
14 profit entities, and universities may subcontract for such
15 research and development.

16 (g) AUTHORIZATION OF APPROPRIATIONS.—For the
17 purpose of carrying out this section, there are authorized
18 to be appropriated—

19 (1) for carrying out the general mission of the
20 Cyber Crimes Center—

21 (A) \$40,000,000 for fiscal year 2011,
22 \$20,000,000 of which is to be allocated to the
23 CEIC;

24 (B) fiscal year 2012 shall be allocated
25 \$16,000,000;

1 (C) fiscal year 2013 shall be allocated
2 \$19,000,000;

3 (D) fiscal year 2014 shall be allocated
4 \$18,000,000; and

5 (E) fiscal year 2015 shall be allocated
6 \$23,000,000;

7 (2) for training of Federal, State, local, tribal,
8 and foreign officers—

9 (A) \$3,000,000 for fiscal year 2011,
10 \$2,000,000 of which is to be allocated to CEIC;
11 and

12 (B) \$2,000,000 for each of the 5 suc-
13 ceeding fiscal years;

14 (3) for the recruitment and employment of dis-
15 abled veterans—

16 (A) \$40,000,000 for fiscal year 2011 to be
17 allocated to CEIC; and

18 (B) such sums as may be necessary for
19 each of the 5 succeeding fiscal years; and

20 (4) for public awareness campaigns—

21 (A) \$1,000,000 for fiscal year 2011,
22 \$500,000 of which is to be allocated to CEIC;
23 and

24 (B) such sums as may be necessary for
25 each of the 5 succeeding fiscal years.

1 **SEC. 5. SUBPOENA AUTHORITY.**

2 Section 3486 of title 18, United States Code is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)(A)—

6 (i) by redesignating clause (ii) as
7 clause (iii);

8 (ii) by striking clause (i) and inserting
9 the following:

10 “(i) a Federal health care offense, the
11 Attorney General;

12 “(ii) a Federal offense involving the
13 sexual exploitation or abuse of children,
14 the Attorney General, the Secretary of
15 Homeland Security, or the Postmaster
16 General; or”; and

17 (iii) in clause (iii), as redesignated, by
18 striking “the Treasury” and inserting “of
19 Homeland Security”;

20 (B) in subparagraph (D), by inserting “,
21 2250” after “2243”;

22 (C) in paragraph (6)(A), by striking
23 “United State” and inserting “United States”;

24 (D) in paragraph (9), by striking “para-
25 graph (1)(A)(i)(II) or (1)(A)(ii)” and inserting
26 “paragraph (1)(A)(ii) or (1)(A)(iii)”; and

1 (E) in paragraph (10), by striking “para-
2 graph (1)(A)(ii), the Secretary of the Treasury”
3 and inserting “paragraph (1)(A)(iii), the Sec-
4 retary of Homeland Security”; and
5 (2) in subsection (c)—

6 (A) in the first sentence, by inserting “, in
7 coordination with the Secretary of Homeland
8 Security or the Postmaster General, as appro-
9 priate,” after “the Attorney General”; and

10 (B) in the second sentence, by striking
11 “appear before the Attorney General” and in-
12 serting “appear before the Government officer
13 that issued the subpoena”.

○